



AFK

Filed by Party Cerrina et al.

Paper No. _____

By: Roger W. Parkhurst
Reg. No. 25,177
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Washington, DC 20036
Tel: (202) 429-6420
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E-mail: rparkhurst@steptoe.com

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

CALVIN F. QUATE and DAVID STERN
(Junior Party)
(Patent 6,480,324)

v.

FRANCESCO CERRINA, MICHAEL R. SUSSMAN,
FREDERICK R. BLATTNER, SANGEET SINGH-GASSON
and ROLAND GREEN
Senior Party
(Application 09/637,891).

Patent Interference No. 105,446
(Technology Center 1600)

CERRINA SEPARATE NOTICE OF LEAD COUNSEL

CERRINA SEPARATE NOTICE OF LEAD COUNSEL

While papers filed here on July 20, 2006 were signed by the undersigned, who is identified as lead counsel for the Party Cerrina, we have noted that more complete compliance with Rule 108(b) and SO 108 is appropriate. Hence this separate notice.

Lead counsel for Party Cerrina is:

Roger W. Parkhurst
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STEPTOE & JOHNSON LLP
1330 Connecticut Ave., N.W.
Washington, DC 20036
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E-mail: rparkhurst@steptoe.com

Backup lead counsel for Party Cerrina are

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E-mail: swatkins@steptoe.com

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Roger W. Parkhurst
Reg. No. 25, 177
Lead Attorney for Party Cerrina et al.
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E-mail: rparkhurst@steptoe.com


CERTIFICATE OF SERVICE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

It is hereby certified that a true copy of the foregoing CERRINA NOTICE OF
LEAD COUNSEL, with attachment was served by e-mail/pdf upon:

oashe@gbpatent.com
Oliver Ashe, Jr.
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
Attorney for Party Quate et al.

This 24th day of July, 2006



Roger W. Parkhurst
Reg. No. 25, 177
Attorney for Party Cerrina et al.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Francesco Cerrina, *et al.* Art Unit: : 1631
Serial No. : 09/637,891 Examiner : Ardin H. Marschel
Filed : August 9, 2000
Title : METHOD AND APPARATUS FOR SYNTHESIS OF ARRAYS OF DNA
PROBES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

POWER OF ATTORNEY BY ASSIGNEE

Under 37 CFR §3.73(b), Wisconsin Alumni Research Foundation, certifies that it is the assignee of 100% of the right, title and interest in the patent application identified above by virtue of:

☒ An assignment from the inventor of the patent application identified above (copy attached)

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

The undersigned, acting on behalf of the assignee, hereby appoints all Attorneys and Agents associated with:

27890
PTO Customer Number

with full power of substitution and revocation, to prosecute the application and to transact all business in the United States Patent and Trademark Office connected therewith.

All correspondence regarding the application should be sent to:

27890
PTO Customer Number

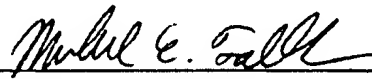
Applicant : Francesco Cerrina, et al.
Serial No. : 09/637,891
Filed : August 9, 2000
Page : 2 of 2

Attorney's Docket No.: 29309.0002

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date: 7-20-06


Name: Michael E. Falk
Title: Director of Intellectual Property
Wisconsin Alumni Research Foundation

Steptoe & Johnson LLP
1330 Connecticut Avenue, NW
Washington, DC 20036-1795
Telephone: 202-429-3000
Facsimile: 202-429-3902



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

JULY 22, 1999

PTAS

WISCONSIN ALUMNI RESEARCH FOUNDATION
LESLIE RECTOR
614 WALNUT STREET
MADISON, WI 53705



101043130A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/18/1999

REEL/FRAME: 009961/0123
NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

CERRINA, FRANCESCO

DOC DATE: 04/09/1999

ASSIGNOR:

SUSSMAN, MICHAEL R.

DOC DATE: 04/16/1999

ASSIGNOR:

BLATTNER, FREDERICK R.

DOC DATE: 04/21/1999

ASSIGNOR:

SINGH-GASSON, SANGEET

DOC DATE: 04/16/1999

ASSIGNOR:

GREEN, ROLAND D.

DOC DATE: 04/16/1999

ASSIGNEE:

WISCONSIN ALUMNI RESEARCH
FOUNDATION
614 WALNUT STREET
MADISON, WISCONSIN 53705

798099615 Francesco Cerrina

009961/0123 PAGE 2

SERIAL NUMBER: 09253460
PATENT NUMBER:

FILING DATE: 02/22/1999
ISSUE DATE:

SHIRLIE SIMON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

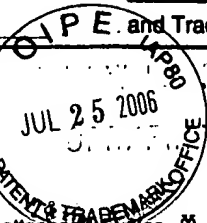
05-24-1999

IDENTIFICATION FORM COVER SHEET
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office



101043130



Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

- 1) Cerrina, Francesco
- 2) Sussman, Michael R.
- 3) Blattner, Frederick R.
- 4) Singh-Gasson, Sangeet
- 5) Green, Roland D.

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

5-18-99

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
- ☐ Security Agreement ☐ Change of Name
- ☐ Other _____

Execution Date: 1): 04/09/99; 2,4,5): 04/16/99

04/21/99

2. Name and address of receiving party(ies)

Name: Wisconsin Alumni Research Foundation

Internal Address: _____

Street Address: 614 Walnut Street

City: Madison State: WI ZIP: 53705

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s): 09/253,460 Filed: 02/22/99

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Wisconsin Alumni Research Foundation

Internal Address: _____

Street Address: 614 Walnut Street

City: Madison State: WI ZIP: 53705

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

☐ Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number:

23-2545

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

40E

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Leslie Rector

Name of Person Signing

Leslie Rector

Signature

5/13/99

Date

Total number of pages including cover sheet, attachments, and document: 9

**ASSIGNMENT
(Joint Inventors)**

I am one of the persons identified as an inventor and who has contributed to a certain new and useful invention (the "Invention"), as set forth in an application for United States Letters Patent, bearing substantially the following title and bearing the following serial number. The application was executed by me, and it was filed on the indicated date:

Title: METHOD AND APPARTUS FOR SYNTHESIS OF ARRAYS OF DNA PROBES

Serial Number: 09/253460

Date Filed: 2/22/99

The assignee under this agreement is hereby authorized to insert the filing date and serial number referred to above, when ascertained.

For good and valuable consideration, I do hereby sell, assign, and transfer to the Wisconsin Alumni Research Foundation (hereinafter "WARF") a non-stock, non-profit Wisconsin corporation, and to its legal representatives, successors, and assigns, my entire right, title and interest in and to the Invention and to all United States and foreign patent applications any of whose claims cover all or part of the Invention, together with all patents resulting from such applications. WARF shall hold such right, title, and interest as fully and completely as they would have been held by me had this assignment and sale not been made.

I agree, upon WARF's request, to execute or assent to such United States and foreign patent applications and to execute all separate assignments and other legal documents that WARF may find necessary or desirable in its exercise of the right, title, and interest assigned above. I also agree to communicate to WARF any facts relating to the Invention or to any of the patent applications or patents contemplated above that may be useful to WARF and to testify as to such facts in any interferences or in litigation, if requested to do so. I shall do all these things without additional compensation but at no expense to me.

I hereby request the Commissioner of Patents to issue to WARF, as the owner of my entire right, title, and interest therein, any Letters Patent of the United States that may be issued for the Invention.

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98077US

App.#: 09/253460, Filed: 2/22/99

Inventor: FCerrina

Date: 4/9/99

Francesco Cerrina
5496 Lacy Road
Fitchburg, WI 53711

State of Wisconsin)
)ss.
County of Dane)

On this 9 day of April, 1999, before me personally appeared Francesco Cerrina, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Mary Ringibstetter
Notary Public

My Commission expires: 9-22-02

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98077US

App.#: 09/253460, Filed: 2/22/99

Inventor: Michael R. Sussman

Date: 4/16/99

Michael R. Sussman
4810 Waukesha Street
Madison, WI 53705

State of Wisconsin)
)ss.
County of Dane)

On this 16 day of April, 1999, before me personally appeared Michael R. Sussman, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Mary Rengelstetter
Notary Public

My Commission expires: 2-22-02

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98077US

App.#: 09/253460, Filed: 2/22/99

Inventor: Frederick R. Blattner

Date: April 21/99

Frederick R. Blattner
1547 Jefferson Street
Madison, WI 53711

State of Wisconsin)
)ss.
County of Dane)

On this 21 day of April, 1999, before me personally appeared Frederick R. Blattner, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Mary Engelstetter
Notary Public

My Commission expires: 2-22-02

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98077US

App.#: 09/253460, Filed: 2/22/99

Inventor: Sangeet Singh-Gasson

Sangeet Singh-Gasson

Date: 16. Apr. 1999

State of Wisconsin)

)ss.

County of Dane)

On this 16 day of April, 1999, before me personally appeared Sangeet Singh-Gasson, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Mary Engelstetter
Notary Public

My Commission expires: 9-22-02

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98077US

App.#: 09/253460, Filed: 2/22/99

Inventor: *Roland D. Green*

Date: 4-16-99

Roland D. Green
2017 Frazer Place
Madison, WI 53713

State of Wisconsin)
)ss.
County of Dane)

On this 16 day of April, 1999, before me personally appeared Roland D. Green, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Mary Rungtetter
Notary Public

My Commission expires: 2-22-02



Filed by Party Cerrina et al.

Paper No. _____

By: Roger W. Parkhurst
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E-mail: rparkhurst@steptoe.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

CALVIN F. QUATE and DAVID STERN
(Junior Party)
(Patent 6,480,324)

v.

FRANCESCO CERRINA, MICHAEL R. SUSSMAN,
FREDERICK R. BLATTNER, SANGEET SINGH-GASSON
and ROLAND GREEN
Senior Party
(Application 09/637,891).

Patent Interference No. 105,446
(Technology Center 1600)

CERRINA RELATED APPLICATIONS OR PATENTS

CERRINA RELATED APPLICATIONS OR PATENTS

Pursuant to SO ¶ 8.2, Party Cerrina et al. hereby states that the following applications and patents either claim or may claim the benefit of priority of the filing date of Party Cerrina's involved application:

The involved Cerrina et al. application Serial No. 09/637,891, filed August 9, 2000, claims and has been accorded the benefit of prior applications Serial No. 60/075,641, filed February 23, 1998, now U.S. Patent 6,375,903, and Serial No. 09/253,460, filed February 22, 1999.

The benefit of each of the three above-identified applications may be claimed for pending application Serial No. 09/639,602, filed August 15, 2000.

Respectfully submitted,

Party Cerrina et al.



July 24, 2006

Atty. Dkt. No. 29309.0002

Roger W. Parkhurst
Reg. No. 25, 177
Lead Attorney for Party Cerrina et al.
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Washington, DC 20036
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E-mail: rparkhurst@steptoe.com

1 CERTIFICATE OF SERVICE

2 It is hereby certified that a true copy of the foregoing CERRINA
3 RELATEDAPPLICATIONS OR PATENTS was served by e-mail/pdf, upon:

4 oashe@gbpatent.com
5 Oliver Ashe, Jr.
6 GREENBLUM & BERNSTEIN, P.L.C.
7 1950 Roland Clarke Place
8 Reston, VA 20191
9 Attorney for Party Quate et al.

10
11 This 24th day of July, 2006

12
13 

14 Roger W. Parkhurst
15 Reg. No. 25, 177
16 Attorney for Party Cerrina et al.



Filed by Party Cerrina et al.

Paper No. _____

By: Roger W. Parkhurst
Reg. No. 25,177
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
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CALVIN F. QUATE and DAVID STERN
(Junior Party)
(Patent 6,480,324)

v.

FRANCESCO CERRINA, MICHAEL R. SUSSMAN,
FREDERICK R. BLATTNER, SANGEET SINGH-GASSON
and ROLAND GREEN
Senior Party
(Application 09/637,891).

Patent Interference No. 105,446
(Technology Center 1600)

CERRINA NOTICE OF RIGHT, TITLE AND INTEREST

CERRINA NOTICE OF RIGHT, TITLE AND INTEREST

Pursuant to SO ¶ 8.1, Party Cerrina et al. hereby states that the involved application Serial No. 09/637,891 is owned by Wisconsin Alumni Research Foundation, by assignment recorded in the USPTO at Reel 9961, Frame 123, copy attached hereto.

Additionally, NimbleGen Systems, Inc., Madison, Wisconsin, is an exclusive licensee under the involved application.

Respectfully submitted,

Party Cerrina et al.



July 24, 2006

Atty. Dkt. No. 29309.0002

Roger W. Parkhurst
Reg. No. 25, 177
Lead Attorney for Party Cerrina et al.
STEPTOE & JOHNSON LLP
1330 Connecticut Ave., N.W.
Washington, DC 20036
Tel: (202) 429-6420
Fax: (202) 429-3902
E-mail: rparkhurst@steptoe.com

CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the foregoing CERRINA NOTICE OF
RIGHT, TITLE AND INTEREST was served by e-mail/pdf upon:

oashe@gbpatent.com
Oliver Ashe, Jr.
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
Attorney for Party Quate et al.

This 24th day of July, 2006



Roger W. Parkhurst
Reg. No. 25, 177
Attorney for Party Cerrina et al.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

JULY 22, 1999

PTAS

WISCONSIN ALUMNI RESEARCH FOUNDATION
LESLIE RECTOR
614 WALNUT STREET
MADISON, WI 53705



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UNITED STATES PATENT AND TRADEMARK OFFICE
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RECORDATION DATE: 05/18/1999

REEL/FRAME: 009961/0123
NUMBER OF PAGES: 7

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

CERRINA, FRANCESCO

DOC DATE: 04/09/1999

ASSIGNOR:

SUSSMAN, MICHAEL R.

DOC DATE: 04/16/1999

ASSIGNOR:

BLATTNER, FREDERICK R.

DOC DATE: 04/21/1999

ASSIGNOR:

SINGH-GASSON, SANGEET

DOC DATE: 04/16/1999

ASSIGNOR:

GREEN, ROLAND D.

DOC DATE: 04/16/1999

ASSIGNEE:

WISCONSIN ALUMNI RESEARCH
FOUNDATION
614 WALNUT STREET
MADISON, WISCONSIN 53705

9809961-5 Francesco Cerrina

009961/0123 PAGE 2

SERIAL NUMBER: 09253460
PATENT NUMBER:

FILING DATE: 02/22/1999
ISSUE DATE:

SHIRLIE SIMON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

05-24-1999

IDENTIFICATION FORM COVER SHEET
PATENTS ONLYU.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

Tab



101043130

and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

- 1) Cerrina, Francesco
- 2) Sussman, Michael R.
- 3) Blattner, Frederick R.
- 4) Singh-Gasson, Sangeet
- 5) Green, Roland D.

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
- ☐ Security Agreement ☐ Change of Name
- ☐ Other _____

Execution Date: 1) 04/09/99; 2,4,5) 04/16/99

04/21/99

2. Name and address of receiving party(ies)

Name: Wisconsin Alumni Research Foundation

Internal Address: _____

Street Address: 614 Walnut StreetCity: Madison State: WI ZIP: 53705Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s): 09/253,460 Filed: 02/22/99

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Wisconsin Alumni Research Foundation

Internal Address: _____

Street Address: 614 Walnut StreetCity: Madison State: WI ZIP: 537056. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41).....\$ 40.00☐ Enclosed☒ Authorized to be charged to deposit account

8. Deposit account number:

23-2545

(Attach duplicate copy of this page if paying by deposit account)

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Leslie Rector

Name of Person Signing

Leslie Rector

Signature

5/12/99

Date

Total number of pages including cover sheet, attachments, and document: 9

**ASSIGNMENT
(Joint Inventors)**

I am one of the persons identified as an inventor and who has contributed to a certain new and useful invention (the "Invention"), as set forth in an application for United States Letters Patent, bearing substantially the following title and bearing the following serial number. The application was executed by me, and it was filed on the indicated date:

Title: METHOD AND APPARTUS FOR SYNTHESIS OF ARRAYS OF DNA PROBES

Serial Number: 09/253460

Date Filed: 2/22/99

The assignee under this agreement is hereby authorized to insert the filing date and serial number referred to above, when ascertained.

For good and valuable consideration, I do hereby sell, assign, and transfer to the Wisconsin Alumni Research Foundation (hereinafter "WARF") a non-stock, non-profit Wisconsin corporation, and to its legal representatives, successors, and assigns, my entire right, title and interest in and to the Invention and to all United States and foreign patent applications any of whose claims cover all or part of the Invention, together with all patents resulting from such applications. WARF shall hold such right, title, and interest as fully and completely as they would have been held by me had this assignment and sale not been made.

I agree, upon WARF's request, to execute or assent to such United States and foreign patent applications and to execute all separate assignments and other legal documents that WARF may find necessary or desirable in its exercise of the right, title, and interest assigned above. I also agree to communicate to WARF any facts relating to the Invention or to any of the patent applications or patents contemplated above that may be useful to WARF and to testify as to such facts in any interferences or in litigation, if requested to do so. I shall do all these things without additional compensation but at no expense to me.

I hereby request the Commissioner of Patents to issue to WARF, as the owner of my entire right, title, and interest therein, any Letters Patent of the United States that may be issued for the Invention.

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98077US

App.#: 09/253460, Filed: 2/22/99

Inventor: FCerrina

Date: 4/9/99

Francesco Cerrina
5496 Lacy Road
Fitchburg, WI 53711

State of Wisconsin)
)ss.
County of Dane)

On this 9 day of April, 1999, before me personally appeared Francesco Cerrina, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Mary Ringelstetter
Notary Public

My Commission expires: 9-22-02

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98077US

App.#: 09/253460, Filed: 2/22/99

Inventor: Michael R. Sussman

Date: 4/16/99

Michael R. Sussman
4810 Waukesha Street
Madison, WI 53705

State of Wisconsin)
)ss.
County of Dane)

On this 16 day of April, 1999, before me personally appeared Michael R. Sussman, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Mary Rengelstetter
Notary Public

My Commission expires: 2-22-02

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98077US

App.#: 09/253460, Filed: 2/22/99

Inventor: Frederick R. Blattner

Date: April 21/99

Frederick R. Blattner
1547 Jefferson Street
Madison, WI 53711

State of Wisconsin)
)ss.
County of Dane)

On this 21 day of April, 1999, before me personally appeared Frederick R. Blattner, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Mary Rungelstetter
Notary Public

My Commission expires: 2-22-02

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98077US

App.#: 09/253460, Filed: 2/22/99

Inventor: Sangeet Singh-Gasson

Sangeet Singh-Gasson

Date: 16. Apr. 1999

State of Wisconsin)
)ss.
County of Dane)

On this 16 day of April, 1999, before me personally appeared Sangeet Singh-Gasson, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

Mary Engelstetter
Notary Public

My Commission expires: 9-22-02

ASSIGNMENT

Wisconsin Alumni Research Foundation

Ref: P98077US

App.#: 09/253460, Filed: 2/22/99

Inventor: _____

Roland D. Green

Date: _____

4-16-99

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On this 16 day of April, 1999, before me personally appeared Roland D. Green, known to me to be the person identified above as the "Inventor," who executed the above instrument and acknowledged to me that he or she executed the same for the uses and purposes therein set forth.

SEAL

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My Commission expires: 2-22-02



Filed by Party Cerrina et al.

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UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

CALVIN F. **QUATE** and DAVID STERN
(Junior Party)
(Patent 6,480,324)

v.

FRANCESCO **CERRINA**, MICHAEL R. SUSSMAN,
FREDERICK R. BLATTNER, SANGEET SINGH-GASSON
and ROLAND GREEN
Senior Party
(Application 09/637,891).

Patent Interference No. 105,446
(Technology Center 1600)

CLEAN COPY OF CERRINA'S INVOLVED CLAIMS

CLEAN COPY OF CERRINA'S INVOLVED CLAIMS

Pursuant to 37 CFR §41.110(a), Party Cerrina herewith files a clean copy of its involved claims 1-17, 19-36, 38 and 39 (of pending application Serial No. 09/637,891; claims 18 and 37 were canceled).

It is noted that the Declaration of Interference mailed July 6, 2006, page 4, erroneously states that those claims which correspond to Count 1 are: "Quate 1-39 Cerrina 1-13" in both instances. These statements should both be corrected to read:

--Quate 1-13

Cerrina 1-17, 19-36, 38 and 39--

Respectfully submitted,

Party Cerrina et al.



July 24, 2006

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INVOLVED CLAIMS OF CERRINA ET AL. S.N. 09/637,891

- 1
- 2 1. Apparatus for imaging a pattern on a surface, comprising:
- 3 (a) a substrate with an active surface on which arrays may be formed;
- 4 (b) an image former providing a high precision, two-dimensional light image
- 5 projected onto the substrate active surface, comprising:
- 6 (1) a light source providing a light beam;
- 7 (2) a micromirror device receiving the light beam from the source and formed
- 8 of an array of electronically addressable micromirrors, each of which can be selectively
- 9 tilted between one of at least two separate positions, wherein in one of the positions of
- 10 each micromirror the light from the source incident upon the micromirror is deflected
- 11 away from an optical axis and in a second of the at least two positions of the micromirror
- 12 the light is reflected along the optical axis; and
- 13 (3) projection optics receiving the light reflected from the micromirrors along
- 14 the optical axis and imaging the pattern of the micromirrors onto the active surface of the
- 15 substrate.
- 16
- 17 2. The apparatus of Claim 1 wherein the micromirror device is formed of a two
- 18 dimensional array of micromirrors.
- 19

1 3. The apparatus of Claim 1 including a lens for collimating the beam from the light
2 source to provide a collimated beam projected onto the micromirror array at an oblique
3 angle to a main optical axis that extends from the micromirror array to the substrate, and
4 wherein in one position of each micromirror the light is reflected along the optical axis
5 through the projection optics to the substrate and in a second position of each
6 micromirror the light from the source is reflected at an angle off the main axis of the
7 projection system and away from the substrate.

8

9 4. The apparatus of Claim 1 wherein the light source provides an output beam to a
10 lens which collimates the output beam, and including a beam splitter positioned between
11 the micromirror array and the projection optics and receiving the collimated beam from
12 the source, the beam splitter reflecting a portion of the beam to the micromirror array and
13 receiving reflected light from the micromirror array along a main optical axis of the
14 apparatus that extends from the micromirror array through the projection optics to the
15 substrate, the beam splitter partially passing the light from the micromirror therethrough
16 to the projection optics to be imaged on the active surface of the substrate.

17

18 5. The apparatus of Claim 1 further including a filter receiving the light from the
19 source and which selectively passes only desired wavelengths through to the micromirror
20 array.

21

1 6. The apparatus of Claim 1 wherein the substrate is transparent and light from the
2 image former is passed through the transparent substrate to be imaged on the active
3 surface of the substrate which is opposite to the surface which initially receives the light
4 from the image former.

5

6 7. The apparatus of Claim 6 further including a flow cell enclosing the active surface
7 of the substrate and having ports for applying reagents into the flow cell which can be
8 flowed over the active surface of the substrate.

9

10 8. The apparatus of Claim 1 further including a computer connected to the
11 micromirror device to provide command signals to control the deflection of the mirrors in
12 the micromirror array to provide a desired pattern for projection onto the substrate.

13

14 9. The apparatus of Claim 1 wherein the light provided by the light source is in the
15 range of ultraviolet to near ultraviolet wavelengths.

16

17 10. The apparatus of Claim 9 including a filter receiving the light from the source
18 which selectively passes wavelengths in the ultraviolet and near ultraviolet and blocks
19 longer wavelengths including infrared.

20

1 11. The apparatus of Claim 10 wherein the filter includes a dichroic mirror that
2 reflects the selected wavelengths and passes the wavelengths to be blocked.

3

4 12. The apparatus of Claim 1 wherein the projection optics include focussing lenses
5 and an adjustable iris, one of the lenses passing light through the adjustable iris and the
6 other lens receiving the light passed through the iris and focussing that light onto the
7 active surface of the substrate.

8

9 13. The apparatus of Claim 1 wherein the pattern of the micromirrors that is imaged
10 onto the active surface of the substrate is reduced in size with respect to the size of the
11 array of micromirrors.

12

13 14. The apparatus of Claim 1 wherein the projection optics is comprised of telecentric
14 refractive optical elements, and including refractive lenses between the light source and
15 the micromirror device that form a Kohler illumination system.

16

17 15. The apparatus of Claim 1 wherein the projection optics comprises telecentric
18 reflective optical elements.

19

1 16. The apparatus of Claim 15 wherein the reflective optical elements include a
2 concave mirror and a convex mirror, the concave mirror reflecting light from the
3 micromirror device to the convex mirror which reflects it back to the concave mirror
4 which reflects the light to the substrate where it is imaged.

5

6 17. The apparatus of Claim 16 including a planar mirror that reflects the light from
7 the concave mirror to the substrate.

8

9 19. The apparatus of Claim 1 including a flow cell having a housing composed of a
10 lower base and upper cover section and a gasket mounted on the base, wherein the
11 substrate is a transparent glass slide secured between the upper cover section and the base
12 to define a sealed reaction chamber between the substrate and the base that is sealed by
13 the gasket, and channels extending through the housing from the input port to the reaction
14 chamber and from the reaction chamber to the output port, the active surface of the
15 substrate facing the sealed reaction chamber.

16

17 20. The apparatus of Claim 19 including means for detachably securing the substrate
18 between the lower base and upper cover section to allow the substrate to be replaced.

19

- 1 21. Apparatus for imaging a pattern on a surface, comprising:
- 2 (a) a substrate with an active surface on which arrays may be formed;
- 3 (b) a flow cell enclosing the active surface of the substrate and having ports for
- 4 applying reagents into the flow cell which can be flowed over the active surface of the
- 5 substrate;
- 6 (c) an image former providing a high precision, two-dimensional light image
- 7 projected onto the substrate active surface, comprising:
- 8 (1) a light source providing a light beam;
- 9 (2) A micromirror device receiving the light beam from the source and
- 10 formed of an array of electronically addressable micromirrors, each of which can be
- 11 selectively tilted between one of at least two separate positions, wherein in one of the
- 12 positions of each micromirror the light from the source incident upon the micromirror is
- 13 deflected away from an optical axis and in a second of the at least two positions of the
- 14 micromirror the light is reflected along the optical axis; and
- 15 (3) projection optics receiving the light reflected from the micromirrors along
- 16 the optical axis and imaging the pattern of the micromirrors onto the active surface of the
- 17 substrate.

18

- 19 22. The apparatus of Claim 21 wherein the micromirror device is formed of a two
- 20 dimensional array of micromirrors.

21

1 23. The apparatus of Claim 21 including a lens for collimating the beam from the
2 light source to provide a collimated beam projected onto the micromirror array at an
3 oblique angle to a main optical axis that extends from the micromirror array to the
4 substrate, and wherein in one position of each micromirror the light is reflected along the
5 optical axis through the projection optics to the substrate and in a second position of each
6 micromirror the light from the source is reflected at an angle off the main axis of the
7 projection system and away from the substrate.

8

9 24. The apparatus of Claim 21 wherein the light source provides an output beam to a
10 lens which collimates the output beam, and including a beam splitter positioned between
11 the micromirror array and the projection optics and receiving the collimated beam from
12 the source, the beam splitter reflecting a portion of the beam to the micromirror array and
13 receiving reflected light from the micromirror array along a main optical axis of the
14 apparatus that extends from the micromirror array through the projection optics to the
15 substrate, the beam splitter partially passing the light from the micromirror therethrough
16 to the projection optics to be imaged on the active surface of the substrate.

17

18 25. The apparatus of Claim 21 further including a filter receiving the light from the
19 source and which selectively passes only desired wavelengths through to the micromirror
20 array.

21

1 26. The apparatus of Claim 21 wherein the substrate is transparent and light from the
2 image former is passed through the transparent substrate to be imaged on the active
3 surface of the substrate which is opposite to the surface which initially receives the light
4 from the image former.

5

6 27. The apparatus of Claim 21 further including a computer connected to the
7 micromirror device to provide command signals to control the deflection of the mirrors in
8 the micromirror array to provide a desired pattern for projection onto the substrate.

9

10 28. The apparatus of Claim 21 wherein the light provided by the light source is in the
11 range of ultraviolet to near ultraviolet wavelengths.

12

13 29. The apparatus of Claim 28 including a filter receiving the light from the source
14 which selectively passes wavelengths in the ultraviolet and near ultraviolet and blocks
15 longer wavelengths including infrared.

16

17 30. The apparatus of Claim 29 wherein the filter includes a dichroic mirror that
18 reflects the selected wavelengths and passes the wavelengths to be blocked.

19

1 31. The apparatus of Claim 21 wherein the projection optics include focussing lenses
2 and an adjustable iris, one of the lenses passing light through the adjustable iris and the
3 other lens receiving the light passed through the iris and focussing that light onto the
4 active surface of the substrate.

5

6 32. The apparatus of Claim 21 wherein the pattern of the micromirrors that is imaged
7 onto the active surface of the substrate is reduced in size with respect to the size of the
8 array of micromirrors.

9

10 33. The apparatus of Claim 21 including refractive lenses between the light source
11 and the micromirror device that form a Kohler illumination system.

12

13 34. The apparatus of Claim 21 wherein the projection optics is comprised of
14 telecentric reflective optical elements.

15

16 35. The apparatus of Claim 34 wherein the reflective optical elements include a
17 concave mirror and a convex mirror, the concave mirror reflecting light from the
18 micromirror device to the convex mirror which reflects it back to the concave mirror
19 which reflects the light to the substrate where it is imaged.

20

1 36. The apparatus of Claim 35 including a planar mirror that reflects the light from
2 the concave mirror to the substrate.

3

4 38. The apparatus of Claim 21 wherein the flow cell has a housing composed of a
5 lower base and upper cover section is a gasket mounted on the base, wherein the substrate
6 is a transparent glass slide secured between the upper cover section and the base to define
7 a sealed reaction chamber between the substrate and the base that is sealed by the gasket,
8 and channels extending through the housing from the input port to the reaction chamber
9 and from the reaction chamber to the output port, the active surface of the substrate
10 facing the sealed reaction chamber.

11

12 39. The apparatus of Claim 38 including means for detachably securing the substrate
13 between the lower base and upper cover section to allow the substrate to be replaced.

14

CERTIFICATE OF SERVICE

It is hereby certified that a true copy of the foregoing CLEAN COPY OF
CERRINA'S INVOLVED CLAIMS was served by e-mail/pdf upon:

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This 24th day of July, 2006



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